

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHARLES LUCARELLI,

Plaintiff,

v.

CHARLES C. BROWN, JR.

Defendant

No. 3:11-CV-1388

(JUDGE CAPUTO)

(MAGISTRATE JUDGE MANNION)

ORDER

NOW this 25th day of October, 2011, upon review of the report and recommendation of Magistrate Judge Martin C. Carlson (Doc. 3) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The report and recommendation (Doc. 3) is **ADOPTED**.
- (2) The Plaintiff's Complaint is **DISMISSED** for failure to state a claim upon which relief can be granted.
- (3) The Clerk of Court is directed to mark this case **CLOSED**.


A. Richard Caputo
United States District Judge